

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BOBBY T. HEMINGWAY,
Plaintiff

v.

S. GOSA, et al.,
Defendants

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No. 1:19-cv-583

(Judge Kane)

ORDER

AND NOW, on this 28th day of June 2019, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. The Clerk of Court is directed to reopen the above-captioned case;
2. The Court's May 16, 2019 Order (Doc. No. 6) is **VACATED**;
3. Plaintiff's motion for leave to proceed in forma pauperis (Doc. No. 7) is **GRANTED**;
4. The complaint (Doc. No. 1) is **DEEMED** filed;
5. Plaintiff's complaint (Doc. No. 1) is **DISMISSED** for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii);
6. Plaintiff may file an amended complaint that corrects the deficiencies identified in the accompanying Memorandum within thirty (30) days of the date of this Order;
7. The Clerk of Court is directed to mail Plaintiff a civil rights complaint form; and
8. If Plaintiff fails to file an amended complaint within thirty (30) days of the date of this Order, the Court will dismiss this action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania